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Attorney for Plaintiff, QAIS MOHAMMAD

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

QAIS MOHAMMAD, an individual,

Plaintiff,

v.

**ECC INTERNATIONAL
CONSTRUCTORS, LLC**, a Delaware
Limited Liability Company; **METAG
INSAAT TICARET A.S.**, a Turkish
Corporation; **ECCI-C METAG, JV**, a Joint
Venture; and DOES 1 through 100 inclusive,

Defendants.

CASE NO. 4:16-cv-06281-DMR (removed
from San Mateo County Superior Court, Case
No. 16CIV01638)

**STIPULATION TO REMAND TO
SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN MATEO;
[PROPOSED] ORDER**

Judge: Hon. Donna Ryu

Complaint Filed: September 29, 2016
Trial Date: None set

This stipulation is entered into by and between Plaintiff, Qais Mohammad (“Plaintiff”) and Defendants, ECC International Constructors, LLC, Metag Insaat Ticaret A.S., and ECCI-C Metag, JV (collectively, “Defendants”), by and through their respective counsel, with reference to the following facts and recitals:

RECITALS

1. WHEREAS, on September 29, 2016, Plaintiff filed this action in the Superior Court of California, County of San Mateo, Case No. 16CIV01638 (the “Action”).

2. WHEREAS, on October 31, 2016, Defendants removed the Action to the United

1 States Federal Court for the Northern District of California on the basis of diversity jurisdiction.

2 3. WHEREAS, on November 8, 2016, Defendants filed a Motion to Dismiss.

3 4. WHEREAS, on November 21, 2016, Defendants withdrew their Motion to
4 Dismiss.

5 5. WHEREAS, on November 21, 2016, Defendants agreed to Plaintiff's request to
6 stipulate to remand the Action to the Superior Court of California, County of San Mateo because
7 Defendants' Notice of Removal violates 28 U.S.C. §1441(b)(2).

8 STIPULATION

9 6. NOW THEREFORE, subject to the Court's approval, the Parties AGREE and
10 STIPULATE to remand this Action to Superior Court of California, County of San Mateo, where
11 venue and jurisdiction are proper for this Action.

12 7. The Parties further stipulate that each party shall bear its own attorneys' fees and
13 costs with respect to the removal and subsequent remand of the Action pursuant to this
14 Stipulation and Order.

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16
17 _____/s/ Hani Ganji_____
18 Hani Ganji
19 Attorney for Plaintiff

20 Dated: November 21, 2016

_____/s/ Kevin M Pierce_____
Kevin M. Pierce
Attorney for Defendants

Dated: November 21, 2016